

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GARY L. CLAYMAN

Serial No.: 08/758,033

Filed: November 27, 1996

For: **METHOD AND COMPOSITION FOR
THE DIAGNOSIS AND TREATMENT OF
CANCER**

Group Art Unit: 1632

Examiner: K. Hauda

Atty. Dkt. No.: INRP:041/HYL

*Considered
JW5/30/04*

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

8/12/04

DATE

SIGNATURE

DECLARATION OF DR. GARY L. CLAYMAN UNDER 37 C.F.R. § 1.131

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

I, Gary L. Clayman, D.D.S., M.D., declare that:

1. I am a U.S. citizen residing at 6353 Westchester Street, Houston, Texas. I am Associate Professor of Surgery and Deputy Chairman of the Department of Head and Neck Surgery at the University of Texas M.D. Anderson Cancer Center. A copy of my curriculum vitae outlining my education and research training is attached (Exhibit A).



COPY OF PAPERS
ORIGINALLY FILED

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(for also 9/9/95)

6/13/02

Serial No.: 08/758,033

Filed: November 27, 1996

**For: METHOD AND COMPOSITION FOR
THE DIAGNOSIS AND TREATMENT OF
CANCER**

Group Art Unit: 1632

Examiner: K. Hauda

Atty. Dkt. No.: INRP:041/HYL

INVENTOR'S DECLARATION UNDER 37 C.F.R. § 1.131

Hon. Commissioner of Patents
Washington DC 20231

I, Gary L. Clayman, declare as follows:

1. I am the sole inventor of the subject matter of all claims currently pending in the referenced patent application.

2. It is my understanding that the Patent and Trademark Office Examiner in charge of the above-captioned application has advanced a rejection of the claims over the references Katayose *et al.*, "Cytotoxic effects of adenovirus-mediated wild-type p53 protein expression in normal and tumor mammary epithelial cells" *Clinical Cancer Research*. 1:889-897 (1995) and Srivastava *et al.*, "Recombinant adenovirus vector expressing wild-type p53 is a potent inhibitor of prostate cancer cell proliferation" *Urology*. 46:843-848 (1995).